

APR 13 2020

Jake Chatters  
Executive Officer & Clerk  
By: \_\_\_\_\_, Deputy *JAC*

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF PLACER

In Re  
APPLICATION OF STATEWIDE  
EMERGENCY BAIL SCHEDULE

No.: 20-013

ORDER APPLYING STATEWIDE  
EMERGENCY BAIL SCHEDULE

On April 6, 2020, the Judicial Council, Chaired by the Chief Justice of the California Supreme Court, issued a mandated statewide emergency bail schedule and directed all superior courts to apply the emergency schedule no later than 5:00 PM on April 13, 2020. The Judicial Council ordered that the emergency bail schedule shall remain in effect until 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by the Judicial Council. Pursuant to this directive, the Placer County felony and misdemeanor bail schedules are hereby temporarily superseded by the statewide emergency bail schedule.

This mandated emergency bail schedule shall be applied to all accused persons arrested and in pretrial custody after 5:00 PM on April 13, 2020. For accused persons held in pretrial custody prior to that date and time, the Court, may, in its discretion, either upon stipulation of the People and the Defendant, or after hearing, apply the statewide emergency bail schedule, prior to 5:00 PM on April 13, 2020. A copy of the statewide emergency bail schedule is attached to this order.

Date: APR 13 2020

  
Hon. Alan Pineschi, Presiding Judge  
Placer County Superior Court

## **ATTACHMENT A: EMERGENCY RULE 4. EMERGENCY BAIL SCHEDULE**

### **(a) Purpose**

Notwithstanding any other law, this rule establishes a statewide Emergency Bail Schedule, which is intended to promulgate uniformity in the handling of certain offenses during the state of emergency related to the COVID-19 pandemic.

### **(b) Mandatory application**

No later than 5 p.m. on April 13, 2020, each superior court must apply the statewide Emergency Bail Schedule:

- (1) To every accused person arrested and in pretrial custody.
- (2) To every accused person held in pretrial custody.

### **(c) Setting of bail and exceptions**

Under the statewide Emergency Bail Schedule, bail for all misdemeanor and felony offenses must be set at \$0, with the exception of only the offenses listed below:

- (1) A serious felony, as defined in Penal Code section 1192.7(c), or a violent felony, as defined in Penal Code section 667.5(c);
- (2) A felony violation of Penal Code section 69;
- (3) A violation of Penal Code section 166(c)(1);
- (4) A violation of Penal Code section 136.1 when punishment is imposed under section 136.1(c);
- (5) A violation of Penal Code section 262;
- (6) A violation of Penal Code sections 243(e)(1) or 273.5;
- (7) A violation of Penal Code section 273.6 if the detained person made threats to kill or harm, has engaged in violence against, or has gone to the residence or workplace of, the protected party;
- (8) A violation of Penal Code section 422 where the offense is punished as a felony;
- (9) A violation of Penal Code section 646.9;
- (10) A violation of an offense listed in Penal Code section 290(c);
- (11) A violation of Vehicle Code sections 23152 or 23153;
- (12) A felony violation of Penal Code section 463; and
- (13) A violation of Penal Code section 29800.

### **(d) Ability to deny bail**

Nothing in the Emergency Bail Schedule restricts the ability of the court to deny bail as authorized by article I, section 12, or 28(f)(3) of the California Constitution.

1 **(e) Application of countywide bail schedule**

2 (1) The current countywide bail schedule of each superior court must remain in effect  
3 for all offenses listed in exceptions (1) through (13) of the Emergency Bail Schedule,  
4 including any count-specific conduct enhancements and any status enhancements.

5 (2) Each superior court retains the authority to reduce the amount of bail listed in the  
6 court's current countywide bail schedule for offenses in exceptions (1) through (13), or  
7 for any offenses not in conflict with the Emergency Bail Schedule.

8 **(f) Bail for violations of post-conviction supervision**

9 (1) Under the statewide Emergency Bail Schedule, bail for all violations of misdemeanor  
10 probation, whether the arrest is with or without a bench warrant, must be set at \$0.

11 (2) Bail for all violations of felony probation, parole, post-release community  
12 supervision, or mandatory supervision, must be set in accord with the statewide  
13 Emergency Bail Schedule, or for the bail amount in the court's countywide schedule of  
14 bail for charges of conviction listed in exceptions (1) through (13), including any  
15 enhancements.

16 **(g) Sunset of rule**

17 This rule will remain in effect until 90 days after the Governor declares that the state of  
18 emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by the  
19 Judicial Council.  
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